

Introduced by Senator Soto

(Coauthor: Senator Vincent)

(Coauthors: Assembly Members DeVore, Shirley Horton, and Spitzer)

February 7, 2005

An act to amend Section 95 of the Penal Code, relating to bribery.

LEGISLATIVE COUNSEL'S DIGEST

SB 151, as amended, Soto. Judicial officers: bribery.

Existing law prohibits any attempt to corruptly influence a juror, arbitrator, umpire, or referee in his or her verdict or decision, by any of the specified means. Violation of this provision is a felony.

This bill would add judicial officer to the list of persons not to be influenced. By expanding the scope of a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 95 of the Penal Code is amended to
- 2 read:
- 3 95. Every person who corruptly attempts to influence a
- 4 judicial officer, a juror, or any person summoned or drawn as a

1 juror, or chosen as an arbitrator or umpire, or appointed *as* a
2 referee, in respect to his or her verdict in, or decision of, any
3 cause or proceeding, pending, or about to be brought before him
4 or her, is punishable by a fine not exceeding ten thousand dollars
5 (\$10,000), or by imprisonment in the state prison, if it is by
6 means of any of the following:

7 (a) Any oral or written communication with him or her except
8 in the regular course of proceedings.

9 (b) Any book, paper, or instrument exhibited, otherwise than
10 in the regular course of proceedings.

11 (c) Any threat, intimidation, persuasion, or entreaty.

12 (d) Any promise, or assurance of any pecuniary or other
13 advantage.

14 SEC. 2. No reimbursement is required by this act pursuant to
15 Section 6 of Article XIII B of the California Constitution because
16 the only costs that may be incurred by a local agency or school
17 district will be incurred because this act creates a new crime or
18 infraction, eliminates a crime or infraction, or changes the
19 penalty for a crime or infraction, within the meaning of Section
20 17556 of the Government Code, or changes the definition of a
21 crime within the meaning of Section 6 of Article XIII B of the
22 California Constitution.